

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

DIANE E. FRITSON,)	
)	
Plaintiff,)	Civil Case No. 05-6313-ST
)	
vs.)	ORDER
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

Kathryn Tassinari
Robert A. Baron
Harder Wells Baron & Manning, P.C.
474 Willamette Street, Suite 200
Eugene, Oregon 97401

Attorney for Plaintiff

Karin J. Immergut
United States Attorney
District of Oregon

Neil J. Evans
Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, Oregon 97204

Michael McGaughran
Franco L. Becia
Social Security Administration
Office of the General Counsel
701 Fifth Avenue, Suite 2900
M/S 901
Seattle, Washington 98104-7075

Attorneys for Defendant

KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, filed Findings and Recommendation on December 7, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#17).

IT IS HEREBY ORDERED that the decision of the Commissioner is REVERSED and the case is REMANDED for calculation and an award of benefits.

Dated this 19th day of January, 2007.

/s/ Garr M. King
Garr M. King
United States District Judge